

AO 257 (Rev. 6/78)

**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**
 BY: ☐ COMPLAINT ☒ INFORMATION ☐ INDICTMENT  
☒ SUPERSEDING
**OFFENSE CHARGED**

21 U.S.C. §§ 846, 841(a)(1) and (b)(1)(C) - Conspiracy to Distribute Controlled Substances

☐ Petty  
☐ Minor  
☐ Misdemeanor  
☒ Felony

 PENALTY: Maximum 20 years imprisonment;  
 Maximum \$1,000,000 fine;  
 Between 3 years and lifetime supervised release;  
 \$100 special assessment.

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

**DEFENDANT - U.S.**

BRAYAN MARTINEZ

 DISTRICT COURT NUMBER  
 19-0381-05 CRB

 FILED  
 MAR 13 2020  
 SUSAN Y. SOSA  
 CLERK, U.S. DISTRICT COURT  
 NORTH DISTRICT OF CALIFORNIA
**PROCEEDING**

Name of Complainant Agency, or Person (&amp; Title, if any)

DEA

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

19-71162 TSH

Name and Office of Person

Furnishing Information on this form DAVID L. ANDERSON

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned)

SAILAJA M. PAIDIPATY

**DEFENDANT****IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

 1) ☐ If not detained give date any prior summons was served on above charges

 2) ☐ Is a Fugitive

 3) ☐ Is on Bail or Release from (show District)
**IS IN CUSTODY**
 4) ☒ On this charge

 5) ☐ On another conviction

☐ Federal ☐ State

 6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency &amp; Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted
**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**
☐ SUMMONS ☒ NO PROCESS\* ☐ WARRANT

Bail Amount: \_\_\_\_\_

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

\* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: \_\_\_\_\_ Before Judge: \_\_\_\_\_

Comments:

1 DAVID L. ANDERSON (CABN 149604)  
2 United States Attorney

**FILED**  
**MAR 13 2020**  
SUSAN Y. SOONG  
CLERK, U.S. DISTRICT COURT  
NORTH DISTRICT OF CALIFORNIA

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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN FRANCISCO DIVISION

11 UNITED STATES OF AMERICA, ) CASE NO. CR 19-0381-05 CRB  
12 Plaintiff, )  
13 v. ) VIOLATION:  
14 BRAYAN MARTINEZ, ) 21 U.S.C. §§ 846, 841(a)(1) – Conspiracy to  
15 Defendant. ) Distribute and Possess with Intent to Distribute  
 ) Controlled Substances  
 )

16  
17 INFORMATION

18 The United States Attorney charges:

19 COUNT ONE: (21 U.S.C. §§ 846 and 841(a)(1) and (b)(1)(C) – Conspiracy to Distribute and  
20 Possess with Intent to Distribute Methamphetamine, Heroin, and Cocaine Base)

21 Beginning on a date unknown, but no later than in or about January 2019, and continuing to on  
22 or about July 30, 2019, in the Northern District of California and elsewhere, the defendant,

23 BRAYAN MARTINEZ,  
24 did knowingly and intentionally conspire to distribute and possess with intent to distribute controlled  
25 substances, specifically, a mixture and substance containing a detectable amount of methamphetamine,  
26 its salts, isomers, and salts of its isomers, a Schedule II controlled substance; a mixture and substance  
27 containing a detectable amount of heroin, a Schedule I controlled substance; and a mixture and  
28 substance containing a detectable amount of cocaine base, a Schedule II controlled substance, in

1 violation of Title 21, United States Code, Sections 846, 841(a)(1) and (b)(1)(C).

2 FORFEITURE ALLEGATION: (21 U.S.C. § 853(a))

3 The allegations contained above are hereby re-alleged and incorporated by reference for the  
4 purpose of alleging forfeiture pursuant to Title 21, United States Code, Section 853.

5 Upon conviction of any the offense alleged in Count One above, the defendant,  
6  
7 BRAYAN MARTINEZ,  
8 shall forfeit to the United States all right, title, and interest in any property constituting and derived from  
9 any proceeds the defendants obtained, directly or indirectly, as a result of such violations, and any  
10 property used, or intended to be used, in any manner or part, to commit or to facilitate the commission of  
such violations, including but not limited to a forfeiture money judgment and the following:

- 11 a. \$4,465 seized on June 21, 2019, from a residence on 103rd Avenue in Oakland,  
12 California; and
- 13 b. \$6,895 seized on August 6, 2019, from a residence on High Street in Oakland,  
14 California.

15 If any of the property described above, as a result of any act or omission of the defendants:

- 16 a. cannot be located upon exercise of due diligence;
- 17 b. has been transferred or sold to, or deposited with, a third party;
- 18 c. has been placed beyond the jurisdiction of the court;
- 19 d. has been substantially diminished in value; or
- 20 e. has been commingled with other property which cannot be divided without  
21 difficulty,

22 the United States of America shall be entitled to forfeiture of substitute property of the defendant  
23 pursuant to Title 21, United States Code, Section 853(p), up to the value of the property described  
24 above.

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1 All pursuant to Title 21, United States Code, Section 853, and Federal Rule of Criminal  
2 Procedure 32.2.

3 DATED: 3/13/2020

DAVID L. ANDERSON  
United States Attorney



SAILAJA M. PAIDIPATY  
Assistant United States Attorney